

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF ARKANSAS
EASTERN DIVISION

HERMAN BUTLER

PLAINTIFF

vs.

2:03CV00182-WRW

WATKINS MOTOR LINES, INC.

DEFENDANT

JUDGMENT

This action came on for a trial before the Court on March 13, 2005, the Honorable William R. Wilson, Jr., United States District Judge, presiding.

The issues having been duly tried, the Court ruled from the bench on March 15, 2006. Now, therefore, pursuant to the Court's ruling,

IT IS ORDERED AND ADJUDGED that the plaintiff, Herman Butler, take nothing on his complaint and that Judgment be entered in favor of the defendant and the complaint is hereby dismissed.

One factor I failed to note in the oral Findings of Fact and Conclusions of Law which were announced immediately after the evidence was submitted and closing argument made, is the fact that the Plaintiff was not fired because of the May 14, 2002, incident - - when, in my opinion, he clearly could have been if Defendant wanted to get rid of him because of his race, or any other reason. In other words, I consider this significant evidence that Defendant did not have a latent desire to fire Plaintiff.

IT IS SO ORDERED this 17th day of March, 2006.

/s/ Wm. R. Wilson, Jr.
UNITED STATES DISTRICT JUDGE